

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CLINIQUE LA PRAIRIE, S.A.,	:	X
Plaintiff,	:	Civil Action No.: 07 Civ 4038-PAC
-against-	:	
THE RITZ-CARLTON HOTEL COMPANY, LLC,	:	
and LA PRAIRIE, INC.,	:	
Defendants.	:	

**DECLARATION OF MARTIN AMMANN UNDER 28 U.S.C. § 1746**

1. I am counsel to defendant La Prairie, Inc. ("La Prairie") in the Swiss arbitration proceeding between La Prairie and plaintiff Clinique La Prairie, S.A. ("CLP"). I am also representing La Prairie Inc. in several opposition proceedings before the Swiss Federal Institute of Intellectual Property (FIIP) in Bern. These opposition proceedings have been stayed pending the conclusion of the Swiss arbitration proceeding. I maintain an office for the practice of law in Zurich, Switzerland.
2. As part of the 2008 Amendment (Exhibit 2 to the Delfin Declaration dated June 19, 2008) to the 1995 Settlement Agreement between La Prairie and CLP, La Prairie agreed to withdraw the pending oppositions (proceedings no. 9273, 8974-8976, and 8977/78) before the FIIP within 10 days of execution of the 2008 Amendment. La Prairie has withdrawn the oppositions on April 10, 2008.
3. Under Swiss law, once an opposition in an opposition proceeding before the Swiss Federal Institute of Intellectual Property in Bern IGE is withdrawn upon lapsing of the opposition deadline it cannot be reinstated. At the time CLP and La Prairie entered into the 2008

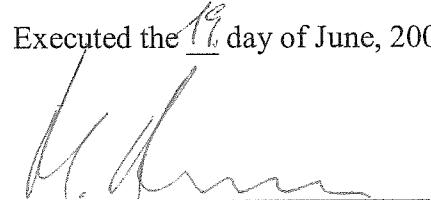
Amendment, the time period to file oppositions had expired. Thus, when La Prairie Inc. withdrew the oppositions they were withdrawn with prejudice.

4. In accordance with both the 2008 Amendment and the final arbitration award dated April 22, 2008, La Prairie withdrew its oppositions in the opposition proceedings no. 09874-08976, 08977-08978 and 9273 at the FIIP on April 10, 2008.

5. As a result of these withdrawals, La Prairie has forever lost its ability to lodge opposition against the trademarks subject to the above-mentioned opposition proceedings.

I declare, under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed the 19 day of June, 2008



Martin Ammann